

Mail Stop Amendment

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re: Patent Application of Charles Eldering.

Conf. No.: 2970 : Group Art Unit: 3622
Appln. No.: 09/591,577 : Examiner: Yehdega Retta
Filing Date: 09 JUNE 2000 : Attorney Docket No.: T702-03

Title: Privacy Protected Advertising Systems

Applicants' Interview Summary

This paper is being submitted further to the telephonic interview conducted with Examiner Yehdega Retta on August 5, 2008, and in response to the Examiner Interview Summary dated August 14, 2008 ("Examiner Summary"), in the above-identified patent application.

REMARKS

Applicants requested an Interview with the Examiner to discuss the rejections in the outstanding Office Action dated June 19, 2008. Independent claims 133 and claims 153 were discussed during the Interview. The prior art discussed was U.S. Patent No. 6,463,585 to Hendricks and U.S. Patent No. 6,120,300 to Ho.

Applicants conducted a telephone Interview with the Examiner on August 5, 2008. During the Interview, Applicants sought clarification of the Examiner's position of how psychological or sociological studies were interpreted to mean behavioral studies. The Examiner explained that this was her interpretation, but was unable to provide any support for this conclusion or any reasoning of the accuracy of this interpretation. Applicants explained that psychological and sociological studies referred to studies outside of the system which were psychological or sociological in nature.

Applicants also inquired as to why independent claim 153 was rejected in the pending Office Action, considering that there were several elements of claim 153 which were not discussed in the Office Action. The Examiner was unable to provide any clarification of why a rationale for rejecting claim 153 was excluded from the Office Action or why this claim is anticipated/rendered obvious by the prior art.

Accordingly, the Examiner's Interview Summary dated August 14, 2008, contains several factual inaccuracies:

1. The Examiner states that claim 1 was discussed. However, claim 1 was cancelled in the Amendment filed on July 13, 2001, and has not been of issue since. Rather, independent claims 133 and 153 were discussed.
2. The Examiner states that U.S. Patent No. 6,031,411 to Straub ("Straub") was discussed. However, Straub is not a basis of the Examiner's rejections and was not discussed in the Interview.

3. The Examiner's Summary states, "Applicant's representative however explained that behavioral aspects do not equate to the claimed psychological or sociological study but did not explain what the study equates to." The Examiner then contradicts herself by stating, "Applicant's representative also indicated that since the claim recites that the rule is based on psychological or sociological study it means that it is based on outside study." Applicants are confused by the assertion in the Examiner Summary that Applicants' representative "did not explain what the study equates to," while at the same time stating that Applicants stated that a "psychological or sociological study ... means that it is based on outside study." In fact, Applicants' position that a psychological or sociological study is an outside study which is psychological or sociological in nature was discussed at length during the Interview. The Examiner failed to include this argument as well as several other arguments raised by Applicants' representative during the Interview.

4. The Examiner Summary fails to make any reference to the discussion of independent claim 153.

In view of the foregoing, Applicants respectfully request that this paper and the comments herein with respect to the Interview of August 5, 2008 be considered and entered into the record

Respectfully submitted,

Date: 10/20/08

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